

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PEDRO JOSE GARCIA,

Defendant.

2:08-cr-0353-RLH-RJJ

ORDER

Before this Court is the Report and Recommendation of United States Magistrate Judge (#42, filed January 5, 2010), entered by the Honorable Robert J. Johnston, regarding Defendant's Motion to Suppress (#13). An objection (#47) was filed to Magistrate Judge Johnston's Report and Recommendation of United States Magistrate Judge in accordance with Local Rule IB 3-2 of the Rules of Practice of the United States District Court for the District of Nevada, and the matter was submitted for consideration.

The court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Report and Recommendation of Magistrate Judge Johnston should be accepted and adopted.

////

////

1 IT IS THEREFORE ORDERED that Magistrate Judge's Report and Recommenda-
2 tion (#42, entered January 2, 2010) is ACCEPTED and ADOPTED, Defendant's Motion is granted
3 as to the suppression of statements made after he was arrested, and denied and in all other respects.

4 Dated: February 1, 2010.

5
6 
7 **ROGER L. HUNT**
8 Chief U.S. District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26